1 2 3 4 5 6 7 8 9	David L. Sobel (pro hac vice) sobel@eff.org ELECTRONIC FRONTIER FOUNDATION 1875 Connecticut Ave. NW Suite 650 Washington, DC 20009 Telephone: (202) 797-9009 x104 Facsimile: (202) 707-9066  Kurt Opsahl (191303) kurt@eff.org Marcia Hofmann (250087) marcia@eff.org ELECTRONIC FRONTIER FOUNDATION 454 Shotwell Street San Francisco, CA 94110 Telephone: (415) 436-9333 x116 Facsimile: (415) 436-9993  Attorneys for Plaintiff	
12 13	ELECTRONIC FRONTIER FOUNDATION	
14	UNITED STATES DISTRICT COURT  FOR THE NORTHERN DISTRICT OF CALIFORNIA  SAN FRANCISCO DIVISION	
15		
16		
17	ELECTRONIC FRONTIER FOUNDATION,	) NO. C 07-5278 SI
18	Plaintiff,	STIPULATION OF DISMISSAL
19	v.	) )
20	OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE,	) ) )
21	Defendant.	) )
22		) )
23 24	Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), plaintiff Electronic Frontier Foundation ("EFF"	
25	and defendant Office of the Director of National Intelligence ("ODNI") stipulate that all claims is	
26	the above-captioned case are dismissed with prejudice in their entirety.	
27 28	To facilitate the parties' negotiation of attorney's fees, EFF and ODNI stipulate to a waive	

STIPULATION OF DISMISSAL

1	of the 14-day time limit to serve and file a motion for an award of such fees under Local Rule 54-0		
2	·		
3	If EFF and ODNI are unable to reach a mutually acceptable agreement on this issue, they will brief		
4	the matter according to the following schedule:		
5	• EFF will move for attorney's fees no later than April 11, 2008.		
6	ODNI will oppose EFF's motion for attorney's fees no later than April 25, 2008.		
7	• EFF will reply to ODNI's opposition no later than May 2, 2008.		
8 9	• The Court will hear the motion for attorney's fees on May 16, 2008.		
10 11	DATED: March 4, 2008	Respectfully submitted,	
12	David L. Sobel, Esq. (pro hac vice)	JEFFREY S. BUCHOLTZ	
13	ELECTRONIC FRONTIER FOUNDATION 1875 Connecticut Ave. NW	Acting Assistant Attorney General	
14	Suite 650 Washington, DC 20009	CARL J. NICHOLS Deputy Assistant Attorney General	
15	Telephone: (202) 797-9009 x104 Facsimile: (202) 797-9066	SCOTT N. SCHOOLS	
16	1-1	United States Attorney	
17	Kurt Opsahl, Esq. Marcia Hofmann, Esq.	ELIZABETH J. SHAPIRO Assistant Director, Federal Programs Branch	
18	ELECTRONIC FRONTIER FOUNDATION 454 Shotwell Street	/s/	
19	San Francisco, CA 94110 Telephone: (415) 436-9333	ANDREW I. WARDEN (IN Bar No. 23840-49) Trial Attorney, U.S. Department of Justice	
20	Facsimile: (415) 436-9993	Civil Division, Federal Programs Branch 20 Massachusetts Ave., N.W., Room 6120	
21	Attorneys for Plaintiff Electronic Frontier Foundation	Washington, D.C. 20530 Telephone: (202) 616-5084	
22		Facsimile: (202) 616-8460 E-mail: Andrew.Warden@usdoj.gov	
23		Attorneys for Defendant Office of the	
24		Director of National Intelligence	
25			
26			
27			
28			

## PURSUANT TO STIPULATION, IT IS SO ORDERED. DATED: \_\_\_\_\_ Honorable Susan Illston United States District Judge

-3-STIPULATION OF DISMISSAL